

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF SEATTLE,

Defendant.

No. 2:17-cv-01282-JLR

**STIPULATED MOTION AND [PROPOSED]  
ORDER TO AMEND BRIEFING  
SCHEDULE IN RESPONSE TO THE  
COURT'S ORDER TO SHOW CAUSE**

**NOTE ON MOTION CALENDAR:  
December 7, 2018**

Plaintiff United States of America ("DOJ") and the City of Seattle (the "parties") jointly request additional time to respond to the Court's December 3, 2018 Order to Show Cause Whether the Court Should Find That the City Has Failed to Maintain Full and Effective Compliance with the Consent Decree. (Dkt. 504) ("Show Cause Order"). As DOJ indicated when the tentative agreement between the Seattle Police Officer's Guild ("SPOG") and the City of Seattle was before this Court, once the final collective bargaining agreement between SPOG and the City of Seattle ("CBA") was signed, DOJ would engage in discussions with the City of Seattle and review related documents and information in order to assess the possibility of any impact of the CBA on the Consent Decree that governs this litigation. To that end, DOJ began

1 requesting and receiving information from the City immediately after the passage of the CBA.  
2 DOJ has also begun conversations with the City about the Adley Shepherd arbitration decision,  
3 the status of its appeal, and its relationship to the standards of review contained in the CBA.  
4 Indeed, much of the information being sought by DOJ on these topics is the same information  
5 requested by the Court in its Show Cause Order. In light of that, DOJ believes that being able to  
6 review the City's brief (to be filed on December 17, 2018) prior to providing its own analysis  
7 and position would allow for a more substantive and informed response to the Court's questions.  
8 DOJ has conferred with the City and the Parties agree that allowing the City to brief these issues  
9 first, with a responsive brief by DOJ, would allow for the most sensible presentation to the  
10 Court. Thus, the City supports this request to amend the briefing schedule, provided the City is  
11 permitted to file a reply brief within one week of DOJ's response. Accordingly, DOJ and the  
12 City respectfully request that the Court extend DOJ's deadline from being concurrently filed  
13 with the City's brief on December 17, 2018, to being responsively filed on January 9, 2019, with  
14 a reply brief from the City due January 16, 2019.  
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1 DATED this 7th day of December, 2018.

2 For the UNITED STATES OF AMERICA:

3 ANNETTE L. HAYES  
4 United States Attorney for the  
5 Western District of Washington

6 s/Christina Fogg  
7 Kerry J. Keefe, Civil Chief  
8 Christina Fogg, Assistant United States Attorney  
9 United States Attorney's Office  
10 Western District of Washington  
11 700 Stewart Street, Suite 5220  
12 Seattle, Washington 98101-1271  
13 Phone: (206) 553-7970  
14 Fax: (206) 553-4073  
15 Email: Christina.Fogg@usdoj.gov

For the CITY OF SEATTLE:

CITY OF SEATTLE  
PETER S. HOLMES  
Seattle City Attorney

s/Kerala T. Cowart  
Kerala T. Cowart, WSBA #53649  
Assistant City Attorney  
Seattle City Attorney's Office  
701 Fifth Avenue, Suite 2050  
Phone: (206) 733-9001  
Fax: (206) 684-8284  
Email: Kerala.Cowart@seattle.gov

**[PROPOSED] ORDER**

The Parties having so stipulated, it is SO ORDERED.

DATED this \_\_\_\_ day of December, 2018.

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HONORABLE JAMES L. ROBART  
United States District Judge

**CERTIFICATE OF SERVICE**

I certify that on the 7th day of December, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys of record:

Annette L Hayes	<a href="mailto:Annette.Hayes@usdoj.gov">Annette.Hayes@usdoj.gov</a>
Christina Fogg	<a href="mailto:Christina.Fogg@usdoj.gov">Christina.Fogg@usdoj.gov</a>
Gregory Colin Narver	<a href="mailto:gregory.narver@seattle.gov">gregory.narver@seattle.gov</a>
Kerry Jane Keefe	<a href="mailto:kerry.keefe@usdoj.gov">kerry.keefe@usdoj.gov</a>
Peter Samuel Holmes	<a href="mailto:peter.holmes@seattle.gov">peter.holmes@seattle.gov</a>
Jeff Murray	<a href="mailto:jeff.murray@usdoj.gov">jeff.murray@usdoj.gov</a>
Rebecca Boatright	<a href="mailto:rebecca.boatright@seattle.gov">rebecca.boatright@seattle.gov</a>
Rebecca Shapiro Cohen	<a href="mailto:rebecca.cohen@usdoj.gov">rebecca.cohen@usdoj.gov</a>
Ronald R. Ward	<a href="mailto:Ron@wardsmithlaw.com">Ron@wardsmithlaw.com</a>
Timothy D. Mygatt	<a href="mailto:timothy.mygatt@usdoj.gov">timothy.mygatt@usdoj.gov</a>
Michael K. Ryan	<a href="mailto:michael.ryan@seattle.gov">michael.ryan@seattle.gov</a>
Carlton Seu	<a href="mailto:carlton.seu@seattle.gov">carlton.seu@seattle.gov</a>
Gary T. Smith	<a href="mailto:gary.smith@seattle.gov">gary.smith@seattle.gov</a>
Hillary H. McClure	<a href="mailto:hillarym@vjmlaw.com">hillarym@vjmlaw.com</a>
Kristina M. Detwiler	<a href="mailto:kdetwiler@unionattorneysnw.com">kdetwiler@unionattorneysnw.com</a>

DATED this 7<sup>th</sup> day of December, 2018.

s/ Brittany Cirineo  
 Brittany Cirineo, Legal Assistant (Contractor)